

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of	)	
	)	
Cook	)	Art Unit: 4121
	)	
Application No. 10/564,494	)	Examiner: Shomer, Isaac
	)	
Filing Date: June 27, 2006	)	Confirmation No. 9161
	)	
For: METHOD FOR THE PREPARATION OF	)	
CONTROLLED RELEASE FORMULATIONS	)	

**INFORMATION DISCLOSURE STATEMENT**

MAIL STOP AMENDMENT  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

BALLARD SPAHR ANDREWS &  
INGERSOLL, LLP  
Customer No. 23859

April 7, 2009

Sir:

Pursuant to the requirements of 37 C.F.R. § 1.56, submitted herewith on the accompanying Information Disclosure Statement List is a listing of documents known to Applicants and/or their attorneys. In accordance with 37 C.F.R. §1.98(a)(2), copies of any cited U.S. patent or U.S. patent application publication documents are not enclosed. Copies of any cited foreign patent document and/or any non-patent publication are enclosed.

In accordance with the provisions of M.P.E.P. § 2001.06(b) and 37 C.F.R. § 1.98(b)(3), Applicants would like to bring to the attention of the Examiner the existence of the co-pending patent application(s) identified below, which were filed in the United States Patent and Trademark Office:

**ATTORNEY DOCKET NO. 02181.0087U2**  
**Application No. 10/564,494**

	<u><b>Application No.</b></u>	<u><b>Date Filed</b></u>	<u><b>First Inventor</b></u>	<u><b>Attorney Docket No.</b></u>
1.	*10/553,003	10/11/2005	Ziegerson	02181.0085U2
2.	*11/799,700	5/1/2007	Ziegerson	02181.0085U3
3.	*10/565,401	1/20/2006	Cook	02181.0086U2

The pending application(s) identified with an asterisk (\*) are stored in the Image File Wrapper (IFW) system of the USPTO. Accordingly, copies of the cited specification(s), including the claims and drawings thereof, are not enclosed in accordance with the waiver to 37 CFR 1.98(a)(2)(iii) dated September 21, 2004.

Applicants would like to bring to the attention of the Examiner the existence of the non-U.S. patent application(s) identified below.

	<u><b>Application No.</b></u>	<u><b>Country</b></u>	<u><b>Date Filed</b></u>	<u><b>First Inventor</b></u>	<u><b>Attorney Docket No.</b></u>
1.	2004253853	AU	4/12/2004	Ziegerson	02181.0085AU1
2.	PI0409032-2	BR	9/23/2005	Ziegerson	02181.0085BR1
3.	2516107	CA	4/12/2004	Ziegerson	02181.0085CA1
4.	200482228408.8	CN	9/27/2005	Ziegerson	02181.0085CN1
5.	04750117.6	EPC	4/12/2004	Ziegerson	02181.0085EP1
6.	4743/DELNP/2005	IN	10/18/2005	Ziegerson	02181.0085IN1
7.	2006-532408	JP	8/30/2005	Ziegerson	02181.0085JP1
8.	PCT/US2004/011485	PCT	4/12/2004	Ziegerson	02181.0085P1
9.	PI0412211-9	BR	1/23/2006	Cook	02181.0086BR1
10.	2533592	CA	7/15/2004	Cook	02181.0086CA1
11.	200480027243.9	CN	3/21/2006	Cook	02181.0086CN1
12.	04778361.8	EPC	7/15/2004	Cook	02181.0086EP1
13.	957/DELNP/2006	IN	2/23/2006	Cook	02181.0086IN1

**ATTORNEY DOCKET NO. 02181.0087U2**  
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14.	2006-521134	JP	1/20/2006s	Cook	02181.0086JP1
15.	PCT/US2004/022817	PCT	7/15/2004	Cook	02181.0086P1
16.	2004259208	AU	7/15/2004	Cook	02181.0087AU1
17.	PI0412059-0	BR	1/12/2006	Cook	02181.0087BR1
18.	2532302	CA	7/15/2004	Cook	02181.0087CA1
19.	200480026606.7	CN	3/15/2006	Cook	02181.0087CN1
20.	04778360.0	EP	7/15/2004	Cook	02181.0087EP1
21.	706/DELNP/2006	IN	2/13/2006	Cook	02181.0087IN1
22.	2006-520347	JP	1/13/2006	Cook	02181.0087JP1
23.	PCT/US2004/022816	PCT	7/15/2004	Cook	02181.0087P1

Pursuant to 37 C.F.R. §1.98(a)(2)(iv), Applicants now submit copies of the enclosed Office Actions, Amendments, Responses, and other correspondence from the prosecution of some or all applications listed above; for which such documents are available. A list of the correspondence is provided in Appendix A.

This Information Disclosure Statement is believed to be filed in a timely manner pursuant to 37 C.F.R. § 1.97(b)(3), in that a first Office Action on the merits of the present patent application has not yet been mailed to Applicants.

Consideration of the cited documents and making the same of record in the prosecution of the above-referenced application are respectfully requested.

No fee is believed due; however, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-0629.

**ATTORNEY DOCKET NO. 02181.0087U2**  
**Application No. 10/564,494**

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CERTIFICATE OF ELECTRONIC TRANSMISSION UNDER 37 C.F.R. § 1.8			
I hereby certify that this correspondence, including any items indicated as attached or included, is being transmitted via electronic transmission via EFS-Web on the date indicated below.			
Name of Person Mailing (Print/Type)	Christopher L. Curfman		
Signature	/Christopher L. Curfman/	Date	April 7, 2009

## **Information Disclosure Statement Appendix A**

pursuant to 37 C.F.R. § 1.98(a)(1)-(2) and (b)(3)-(4) for  
APPLICATION NO. 10/564,494 (ATTORNEY DOCKET NO. 02181.0087U2)

<b>APPENDIX A</b>						
<b>LIST OF PROSECUTION DOCUMENTS FROM U.S. PATENT APPLICATIONS</b>						
<b>Cite No.</b>	<b>Attny. Docket No.:</b>	<b>Application No.</b>	<b>Inventor</b>	<b>Application Filing Date</b>	<b>Document</b>	<b>Date of Document</b>
1.	02181.0085U3	11/799,700	Ziegerson	5/1/2007	Response to Election / Restriction Filed	2/9/2009
2.	02181.0085U3	11/799,700	Ziegerson	5/1/2007	Claims	2/9/2009
3.	02181.0085U3	11/799,700	Ziegerson	5/1/2007	Applicant Arguments/Remarks Made in an Amendment	2/9/2009
4.	02181.0085U3	11/799,700	Ziegerson	5/1/2007	Requirement for Restriction/Election	1/12/2009
5.	02181.0085U3	11/799,700	Ziegerson	5/1/2007	Requirement for Restriction/Election	1/12/2009
6.	02181.0085U3	11/799,700	Ziegerson	5/1/2007	Response to Election / Restriction Filed	10/21/2008
7.	02181.0085U3	11/799,700	Ziegerson	5/1/2007	Claims	10/21/2008
8.	02181.0085U3	11/799,700	Ziegerson	5/1/2007	Applicant Arguments/Remarks Made in an Amendment	10/21/2008
9.	02181.0085U3	11/799,700	Ziegerson	5/1/2007	Requirement for Restriction/Election	4/21/2008
10.	02181.0086U2	10/565,401	Cook	1/20/2006	Preliminary Amendment	1/20/2006

**Information Disclosure Statement Appendix A**

pursuant to 37 C.F.R. § 1.98(a)(1)-(2) and (b)(3)-(4) for  
APPLICATION NO. 10/564,494 (ATTORNEY DOCKET NO. 02181.0087U2)

**APPENDIX A**

**LIST OF PROSECUTION DOCUMENTS FROM FOREIGN PATENT APPLICATIONS**

<b>Cite No.</b>	<b>Attny. Docket No.</b>	<b>Country</b>	<b>Application No.</b>	<b>Application Filing Date</b>	<b>Inventor</b>	<b>Document</b>	<b>Date of Document</b>
1.	02181.0085EP1	EP	04750117.6	4/12/2004	Ziegerson	Amendments received before examination	5/1/2006
2.	02181.0085EP1	EP	04750117.6	4/12/2004	Ziegerson	Amended claims filed after receipt of search report	5/1/2006
3.	02181.0085EP1	EP	04750117.6	4/12/2004	Ziegerson	Amended claims filed after receipt of search report	30/12/2005
4.	02181.0086CN1	CN	200480027243.9	3/21/2006	Cook	Decision of Rejection	2/27/2009
5.	02181.0086CN1	CN	200480027243.9	3/21/2006	Cook	Response to First Office Action	3/24/2008
6.	02181.0086CN1	CN	200480027243.9	3/21/2006	Cook	First Office Action	10/19/2007
7.	02181.0086IN1	IN	957/DELNP/2006	2/23/2006	Cook	Examination Report	04/2008
8.	02181.0087IN1	IN	706/DELNP/2006	2/13/2006	Brookwood Phamaceutic als, Inc.	Further response to 1/11/2008 examination report	1/9/2009
9.	02181.0087IN1	IN	706/DELNP/2006	2/13/2006	Brookwood Phamaceutic als, Inc.	Response to 1/11/2008 examination report and amended claims	1/7/2009
10.	02181.0087IN1	IN	706/DELNP/2006	2/13/2006	Brookwood Phamaceutic als, Inc.	Examination Report	1/11/2008